



Michigan Supreme Court

State Court Administrative Office

Trial Court Services Division

Michigan Hall of Justice

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Jennifer Warner
Director

MEMORANDUM

DATE: February 13, 2014

TO: Circuit Court Administrators
County Clerks
District Court Administrators/Clerks
Probate Court Administrators/Registers

FROM: Amy L. Garoushi, Forms and Records Manager

RE: Records Management: Creation, Retention, and Destruction

Under 2013 PA 199 and 201, the courts are no longer required to maintain court records in a paper format for a prescribed period set by the Legislature. Instead, SCAO, with input from others, will have the flexibility to create policies regarding not only how long courts must keep records, but also how courts can more efficiently maintain records, both during their active phase and for long-term storage.

SCAO has recommended revisions to the record retention and disposal schedule (GS#16) and has submitted those revisions to the other entities that must approve the record retention schedule. The approval process for the schedule takes several months as it must go through review and approval by the State Court Administrator, Records Management Services, the Attorney General, State Archives, and the State Administrative Board. After these entities have approved the revised schedule, SCAO will rescind SCAO Administrative Memorandum 2005-06 and issue a new memorandum.

In the meantime, the current schedule and SCAO Administrative Memo 2005-06 remain in effect. See <http://courts.mi.gov/administration/admin/op/pages/records-management.aspx>. SCAO does not necessarily advise that courts should continue microfilming records while awaiting dissemination of the revised schedule and SCAO Administrative Memo. Courts may want to dispense with that practice until the new policies are in effect. However, SCAO recommends that courts evaluate what is the most cost-effective method for maintaining records in the long-term, while maintaining the integrity of those records. Migrating digital images of

permanent records can be far more costly than maintaining microfilm, but that is a decision that will be left to the courts to decide.

For future planning and decision-making about migrating from a paper-based records management system to an electronic one, courts may want to review Michigan Court Rules 1.109 and 8.119 and the Michigan Trial Court Guidelines and Standards for Digital Imaging at http://courts.mi.gov/Administration/SCAO/Resources/Documents/standards/di_stds.pdf.

If you have any questions, feel free to contact me at elgaroushia@courts.mi.gov or 517-373-4864.